

# JUDICIAL BRANCH

## 0250 Judicial Branch

The Governor's budget combines the Judicial and Trial Court Funding budgets into one budget for the Judicial Branch. The budget proposes a total of \$3 billion (\$1.8 billion General Fund and \$1.3 billion other funds) for the Judicial Branch.

Of the total amount, the budget proposes expenditures of \$373.5 million (\$308.9 million General Fund) for items related to the state judiciary. The state judiciary items include the Supreme Court (\$40.7 million), the Courts of Appeal (\$178.3 million), the Judicial Council – which includes the Administrative Office of the Courts (AOC) (\$110.5 million), the Judicial Branch Facility Program (\$32.6 million), and the California Habeas Corpus Resource Center (\$11.4 million). The proposed amount for the state judiciary is a decrease of \$43 million, or 10.3 percent, from estimated expenditures in the current year. The reduction is due primarily to the transfer of \$64.1 million for local assistance grants that were previously funded in the Judicial Council item, but are now funded in the Trial Court Funding item. Total authorized positions for the state judiciary entities would increase by 100 positions to 1,851.9 positions. These new positions are primarily related to a proposal to have the AOC provide centralized administrative services support such as accounting and human resources for the local trial courts.

The proposed total budget for the Trial Court Funding item is \$2.7 billion (\$1.5 billion General Fund and \$1.2 billion other funds). This amount is an increase of \$220.4 million, or 9 percent, from anticipated expenditures in the current year.

### Summary of Program Requirements

(dollars in thousands)	2004-05	2005-06	\$ Change	% Change
Supreme Court	\$40,279	\$40,743	\$464	1.2%
Courts of Appeal	176,423	178,295	\$1,872	1.1%
Judicial Council	194,241	110,468	-\$83,773	-43.1%
Judicial Branch Facility Program	0	32,596	32,596	N/A
Habeas Corpus Resource Center	11,133	11,425	\$292	2.6%
Unallocated Reduction	-5,500	-	\$5,500	-100.0%
<i>Subtotal, Judiciary</i>	<i>\$416,576</i>	<i>\$373,527</i>	<i>-\$43,049</i>	<i>-10.3%</i>
Support for the Operations of Trial Courts	\$2,117,558	\$2,269,111	\$151,553	7.2%
Salaries of Superior Court Judges	232,991	233,530	539	0.2%
Assigned Judges	19,254	20,254	\$1,000	5.2%
Court Interpreters	67,735	70,986	\$3,251	4.8%
Grants		64,069	64,069	N/A
<i>Subtotal, State Trial Court Funding</i>	<i>\$2,437,538</i>	<i>\$2,657,950</i>	<i>\$220,412</i>	<i>9.0%</i>
<b>Total</b>	<b>\$2,854,114</b>	<b>\$3,031,477</b>	<b>\$177,363</b>	<b>6.2%</b>

**Highlights**

- An increase of \$97.4 million based on a growth factor tied to the State Appropriations Limit.
- An increase of \$92.6 million for increased trial court costs. This baseline adjustment is intended to cover increased costs related to court employee salary and benefits, court employee retirement, court security, and county-provided services that the courts will be facing in 2005-06 due to increases in the current year.
- Restoration of one-time reductions in the current year budget totaling \$60.5 million (\$55 million for trial court funding and \$5.5 million for state judiciary items).
- Creation of a separate line item for the Judicial Branch Facility Program. Previously, funding of \$32.6 million for this program was part of the Judicial Council line item.
- An increase of \$13.1 million in reimbursements and 91.5 positions within the AOC to provide administrative support services such as accounting, human resources and treasury functions to the trial courts. With this proposal administrative services for one third of the trial courts will have been assumed by the AOC, with the remaining courts transitioning by 2008-09.

**Selected Issues**

**Trial Court Budget Tied to the State Appropriations Limit.** As part of the 2004 Budget Act, the Legislature approved statutory changes which will annually grow the budget for the state's trial courts by the same percentage as the State Appropriations Limit (SAL). This is the first year that the trial court budget has been increased by the growth factor as opposed to submission of individual Budget Change Proposals. The courts will be able to use this growth factor funding to pay for court operations and other ongoing needs of the courts. The Judicial Council will determine how to allocate the funding among the local courts. The budget currently proposes \$97.4 million based on the SAL, but the SAL calculation will be revised at the time of the May Revision. The Administration proposes adding a similar growth factor based on the SAL for the state judiciary items starting in fiscal year 2007-08.

**Transfer of Trial Court Facilities to the State.** Pursuant to the Trial Court Facilities Act of 2002, the process for the transition of court facilities from the county to the state has started in the current year. The AOC estimated that in the current year between 100 and 140 facilities would be transferred to the state. The Legislative Analyst's Office (LAO) has estimated that the cost of renovating existing buildings and constructing new ones would be between \$4.9 billion and \$5.5 billion over the next ten years. It is intended that the funding for the transition will come from fees that are deposited into the State Court Facilities Construction Fund. The budget proposes repayment of \$72.7 million from the General Fund to the State Court Facilities Construction Fund to repay a loan from the 2003-04 fiscal year. In the current year, the Construction Fund has loaned the General Fund \$30 million. The January budget proposal does not include any new expenditure proposals related to trial court facilities.